

# 21 or none

There has been an alarming increase in the use of tobacco products among our young people. To protect their health, Maryland implemented Tobacco 21 (T21), a law that raised the minimum sales age for tobacco products, including vapes, JUUL<sup>®</sup> and other pod-based systems, to 21 years old. As a licensed tobacco retailer, you play a key role in ensuring the success of this effort. With your help, we can reduce and eliminate underage access to tobacco products in our state.

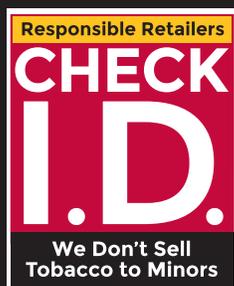
## **BE AWARE. BE RESPONSIBLE.**

**As of October 1, 2019, selling, distributing or offering to sell tobacco products to anyone under 21 is illegal.**

You are responsible for upholding the law. Compliance checks will be conducted and enforced on a continuous basis to ensure your store is following federal, state and local laws that prohibit the sale of tobacco to those underage. If you are found guilty of selling any tobacco product, including vapes, to underage youth, federal fines are in excess of \$10,000 and you could even lose your license to sell tobacco.

On December 20, 2019, the Federal, Drug, and Cosmetic Act was amended to raise the minimum legal sales age for any retailer to sell a tobacco product from 18 to than 21 years of age, implementing a Federal Tobacco 21 Law. The amendment does not include any exemptions (therefore voiding Maryland's military exemption) or grandfathering of age groups.

As of February 10, 2020, the Maryland Comptroller's Field Enforcement Division issued a directive to prioritize enforcement actions against unauthorized products most widely used by youth – specifically, cartridge-based and disposable ESDs with flavors other than tobacco or menthol. Retailer licenses to sell tobacco and ESD products in Maryland may be subject to disciplinary action if the directives are not followed, as these products are being sold and marketed in direct violation of federal law.



## **BE COMPLIANT.**

### **Retailers need to:**

1. Display new T21 signage in a clearly visible location.
2. Use a driver's license or government-issued ID to verify customer age.
3. Train all staff on the following steps for every tobacco sale:
  - Ask for valid ID from everyone under 30 attempting to purchase tobacco products.
  - Check ID to make sure each customer is at least 21.
  - Refuse to sell tobacco products to everyone under 21.

## **THE HEALTH OF OUR MINORS IS A MAJOR CONCERN.**

### **Let's keep them tobacco-free.**

Tobacco products, including most vapes, contain the addictive drug nicotine and other dangerous chemicals. Use of e-cigarettes and vapes, like JUUL® and other pod-based systems, increased by 78% among high school youth in just one year. In 2018, over 3 million high schoolers in the U.S. were using some type of vaping product. This led the U.S. Surgeon General to warn that e-cigarette use among youth is now an epidemic. Nicotine can cause delays in brain development of young people and chemicals found in vapes can cause permanent lung damage. Some have started to use other tobacco products with exposure to known cancer-causing chemicals. Most adults who use tobacco reported they started by the age 21. For these reasons, raising the sales age to 21 helps reduce underage access to e-cigarettes and other tobacco products, which reduces the likelihood of them ever starting to use tobacco.

## **WE'RE HERE TO HELP.**

This toolkit contains resources to help you understand tobacco laws and your responsibility to comply. The Maryland Department of Health has developed and included in this toolkit a poster and window adhesive that meet the requirements of the law. Post these materials in your store at locations clearly visible to customers and staff. Other items, such as table tents and quick reference guides, can be placed near the cash register to assist clerks with determining age for customers purchasing tobacco.

You'll also find information about the Maryland Tobacco Quitline, 1-800-QUIT-NOW. The Quitline is a free service to help Marylanders quit tobacco, including e-cigarettes and vapes. Any person age 13 and older may call 1-800-QUIT-NOW or visit [www.smokingstopshere.com](http://www.smokingstopshere.com).

Together, we can keep tobacco out of the hands of Maryland youth. For free online training, additional materials, and FAQ's, visit [www.NoTobaccoSalesToMinors.com](http://www.NoTobaccoSalesToMinors.com). Please send questions to [mdh.notobaccosalestominors@maryland.gov](mailto:mdh.notobaccosalestominors@maryland.gov).